

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: | Examiner: Roane, Aaron F. |
| Inventor: David K. Swanson | Art Unit: 3739 |
| App. No.: 10/727,096 | Docket No. 03-0242 (US01) |
| Filing Date: December 2, 2003 | Confirmation No. 6001 |
| Title: SURGICAL METHODS AND APPARATUS FOR STIMULATING TISSUE | |

AMENDMENT AND REPONSE TO NON-FINAL OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
Box 1450
Alexandria, Virginia 22313-1450

Commissioner:

Applicant respectfully submits this Amendment and Response together in response to the non-final Office Action mailed on May 18, 2007. Applicant respectfully submits that, upon entry of this amendment, the application will be in condition for allowance.

Amendments to the claims are reflected in the listing of claims beginning on page 2.

Remarks begin on page 7.

CERTIFICATE OF EFS-WEB TRANSMITTAL

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO-EFS-Web filing system.

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| _____ | Nancy N. Rushton |
| | Name of Person transmitting Paper |
| August 20, 2007 | /Nancy N. Rushton/ |
| Date of deposit | Signature of Person depositing Paper |